

REMARKS

The Official Action mailed June 4, 2010, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Also, filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on July 14, 2006; September 11, 2006; and June 25, 2009.

A further Information Disclosure Statement was filed July 15, 2010, and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1-36 were pending in the present application prior to the above amendment. Claims 1, 4, 8, 11, 15, 19, 23, 27, 31, 33, 35 and 36 have been amended to better recite the features of present invention, and claims 2, 9, 16, 20, 24 and 28 have been canceled without prejudice or disclaimer. The Applicant notes with appreciation the indication of the allowability of claims 4, 5, 11 and 12 and the allowance of claims 15-36. Accordingly, claims 1, 3-8, 10-15, 17-19, 21-23, 25-27 and 29-36 are now pending, of which claims 1, 8, 15, 19, 23, 27, 31, 33, 35 and 36 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1-3, 6-10, 13 and 14 as obvious based on the combination of U.S. Patent No. 6,585,165 to Kuroda and U.S. Publication No. 2002/0094639 to Reddy. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or

references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 1 and 8 have been amended to recite the structure of the ID label. For example, claim 1 has been amended to recite a label substratum; an antenna provided over the label substratum; a thin film integrated circuit device including a thin film transistor, provided over and in contact with the label substratum; an insulating layer provided over the antenna; and a wiring provided on the insulating layer; an adhesive layer provided over the wiring; a separating sheet provided over the adhesive layer; and wherein the separating sheet is configured to be peeled from the adhesive layer, wherein the wiring is electrically connected to the antenna through a contact hole formed in the insulating layer, and wherein the antenna and the thin film integrated circuit device are electrically connected through the wiring. These features are believed to be similar to the features of the allowed independent claims. The Applicant respectfully submits that Kuroda and Reddy, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.


Since Kuroda and Reddy do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

At this opportunity, the Applicant has amended independent claims 15, 19, 23, 27, 31, 33, 35 and 36 to recite "the antenna and the thin film integrated circuit device are electrically connected through the wiring" and to standardize grammar (e.g. changing "connected" to "electrically connected" and the like).

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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